

For the purpose of examination of the present application, Applicants elect Species I, illustrated in Figure 4 with traverse. Claims 1-2, 4-12, 20-21, 23-30, and 38 are directed to the elected species. As acknowledged by the Examiner, at least claims 1 and 20 are generic.

Applicants request that all claims be considered and allowed in the event that the generic claims are allowed.

Applicants traverse the Requirement because the Examiner failed to meet the burdens to require an election/restriction. A Election/Restriction Requirement is proper only if the Examiner is able meet the following two prong test. First, the Examiner must demonstrate that the claims are independent and distinct. Second, the Examiner must demonstrate that there is a serious burden on the Examiner to examine all claims. *See M.P.E.P. 803.01*. The Examiner must provide reasons and/or examples to support conclusions. *See M.P.E.P. 803.01*.

In this instance, the Examiner merely stated a conclusion that the application contains claims directed to patentably distinct species of the claimed invention. *See Election/Restriction Requirement, page 2, first paragraph*. However, the Examiner did not provide any support to make the conclusion. Thus the Examiner failed to demonstrate that the claims are independent and distinct, and therefore, failed the first prong of the test.

The Examiner also failed to meet the second prong of the test as well. The Examiner did not demonstrate that there is a serious burden on the Examiner to examine the claims. Indeed, the Examiner did not even allege that a serious burden would occur.

Therefore, the Examiner's Election/Restriction Requirement is improper. Applicants respectfully request that the Examiner withdraw the Election/Restriction Requirement.

Should there be any outstanding matters that need to be resolved, the Examiner is respectfully requested to contact Hyung Sohn (Reg. No. 44,346), to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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